

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL NO. 1:22-cv-102-TBM-RPM

\$11,999.00 UNITED STATES CURRENCY

DEFENDANT PROPERTY

**PLAINTIFF UNITED STATES OF AMERICA'S MOTION
FOR DEFAULT JUDGMENT OF FORFEITURE**

The United States of America, by and through the United States Attorney, and the undersigned Assistant United States Attorney, for the Southern District of Mississippi, moves for default judgment of forfeiture for the reasons set forth below.

SUPPORTING SUGGESTIONS

1. On April 22, 2022, the United States filed a Verified Complaint for Forfeiture *in Rem* [1], alleging that the Defendant Property is subject to forfeiture under 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

2. On April 27, 2022, the Court issued a Warrant of Arrest *in Rem* [4].

3. Under Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States served direct written notice of this civil asset forfeiture action, including copies of the Verified Complaint for Forfeiture *in Rem* [1], Application for Warrant of Arrest *in Rem* [3], Warrant of Arrest *in Rem* [4], and Notice of Complaint for Forfeiture [2], to all potential claimants reasonably known to the United States, as evidenced by the United States' Proof of Service [7].

4. Beginning on April 26, 2022, the United States published for thirty (30) consecutive days on an official government internet website at www.forfeiture.gov, notice of the instant case, as evidenced by the Proof of Publication [6].

5. The aforementioned publication and direct notices informed Wanzalla Spencer, Santargo Marshall, and all other persons or entities, known or unknown, having or claiming an interest in the Defendant Property that the Defendant Property had been arrested and that this instant civil forfeiture action was pending. The publication and direct notices also informed said persons and entities that they had thirty-five (35) days after being sent direct notice or sixty (60) days after the first date of the published notice to file a claim, and twenty (21) days thereafter to file an answer. Furthermore, the notice referred any such persons or entities to Rule G(5) of the Supplemental Rules of Admiralty and Maritime Claims and Asset Forfeiture Actions, and warned that if this Supplemental Rules were not strictly followed, the Court could strike any claim and answer and enter default judgment of forfeiture or summary judgment against any improperly claimed interest in the Defendant Property.

6. The United States took all reasonable measures to insure that Wanzalla Spencer, Santargo Marshall and all other possible claimants received such notice in a timely fashion.

7. As of this date, no claims, answers, or appearances have been filed to assert an interest in the Defendant Property, or to otherwise defend against this instant forfeiture action, by Wanzalla Spencer, Santargo Marshall or any other person or entity. Thus, the time pursuant to Supplemental Rule G, for Wanzalla Spencer, Santargo Marshall or any other person or entity to file a valid claim or answer in this action has lapsed.

8. As such, Wanzalla Spencer, Santargo Marshall and all other possible claimants are in total default; the Clerk of Court's June 27, 2022 Entry of Default [9] was proper; and the United States is entitled to a default judgment of forfeiture against the full interests of Wanzalla

Spencer, Santargo Marshall and all other persons and entities in the Defendant Property, all without the necessity of further notice to Okanlawan Norbert or any other person or entity.

The United States respectfully requests this Court enter a default judgment of forfeiture against the full interests of Wanzalla Spencer, Santargo Marshall and all other persons and entities in the Defendant Property, forfeiting to the United States the Defendant Property described below:

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In addition, the United States respectfully requests the Court order the custody of the Defendant Property to the United States Marshals Service and/or the Federal Bureau of Investigation to dispose of said property in accordance with the law.

RESPECTFULLY SUBMITTED, this the 28th day of June 2022,

UNITED STATES OF AMERICA
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